

The Gazette



of India

EXTRAORDINARY

PART II—Section 3—Sub-section (i)

PUBLISHED BY AUTHORITY

No. 139] NEW DELHI, WEDNESDAY, SEPTEMBER 23, 1964/ASVINA 1, 1886

Separate paging is given to this Part in order that it may be filed
as a separate compilation

MINISTRY OF HOME AFFAIRS

ORDER

New Delhi, the 23rd September 1964

G.S.R. 1401.—In exercise of the powers conferred by section 3 of the Foreigners Act, 1946 (31 of 1946), the Central Government hereby makes the following Order, namely:—

1. **Short title.**—This Order may be called the Foreigners (Tribunals) Order, 1964.
2. **Constitution of Tribunals.**—(1) The Central Government may, by order, refer the question as to whether a person is or is not a foreigner within the meaning of the Foreigners Act, 1946 (31 of 1946) to a Tribunal to be constituted for the purpose, for its opinion.
(2) The Tribunal shall consist of such number of persons having judicial experience as the Central Government may think fit to appoint.
(3) Where the Tribunal consists of two or more members, one of them shall be appointed as the Chairman thereof.
3. **Procedure for disposal of questions.**—(1) The Tribunal shall give to the person to whom the question relates a reasonable opportunity of making a representation and producing evidence in support of his case, and after considering such evidence as may be produced and after hearing such persons as may desire to be heard, submit its opinion to the officer or authority specified in this behalf in the order of reference.
(2) Subject to the provisions of this Order, the Tribunal shall have power to regulate its own procedure.
4. **Power of Tribunals.**—The Tribunal shall have the powers of a civil court while trying a suit under the Code of Civil Procedure, 1908 in respect of the following matters, namely:—

- (a) summoning and enforcing the attendance of any person and examining him on oath;
- (b) requiring the discovery and production of any document;
- (c) issuing commissions for the examination of any witness.

[No. 1/1/64-F. III.]

FATEH SINGH, Jt. Secy.

(705)

